

Australian Capital Territory

Corrections Management (CCTV) Policy 2024

Notifiable instrument NI2024–691

made under the

Corrections Management Act 2007, s14 (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (CCTV) Policy 2024*.

2 Commencement

This instrument commences on the day after notification.

3 Policy

I make this policy to facilitate the effective and efficient management of correctional services.

4 Revocation

This instrument revokes the *Corrections Management (CCTV) Policy 2019* [NI2019-757].

Narelle Pamplin
Acting Commissioner
ACT Corrective Services
3 December 2024

CCTV

POLICY NO. 21

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to ensuring that the use of closed-circuit television is in accordance with policy, legislative and whole-of-government requirements.

This policy provides instructions on the use of closed-circuit television in accordance with the ACT Government Code of Practice for CCTV.

2 SCOPE

This policy applies to all ACTCS facilities and secure escort vehicles.

Where required, Divisional Executives will establish operational procedures under this policy.

3 DEFINITIONS

Closed-Circuit Television (CCTV)

A video surveillance system connecting a number of cameras and associated monitoring and support infrastructure through a closed system.

4 PRINCIPLES

4.1 ACTCS maintains and operates CCTV in compliance with the requirements of the:

- ACT Government Code of Practice for CCTV
- Australian Standard (AS) 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and Operation
- Human Rights Principles for ACT Correctional Centres
- Corrections Management Act 2007 (ACT)
- Human Rights Act 2004 (ACT)
- Public Sector Management Act 1994 (ACT)
- Information Privacy Act 2014 (ACT)
- Territory Records Act 2002 (ACT)
- Workplace Privacy Act 2011 (ACT).

4.2 Divisional Executives are responsible for:

- a. maintaining and ensuring the security of CCTV systems and video footage in accordance with the Territory Records Act 2002 (ACT);

- b. ensuring that appropriate signage is on display where CCTV is in operation according to Appendix A of the ACT Government Code of Practice for CCTV; and
 - c. ensuring that appropriate training in the operation and monitoring of CCTV systems is provided to staff where required.
- 4.3 All CCTV surveillance will continuously record video footage, except for secure escort vehicles when not in operation.
- 4.4 ACTCS may contract the maintenance of CCTV systems to an external service provider.
- 4.5 Complaints relating to CCTV surveillance will be managed in accordance with the Detainee Requests and Complaints Policy or Justice and Community Safety Directorate Complaints Management Policy as appropriate.
- 4.6 Inappropriate use of CCTV surveillance must be immediately reported to the Integrity Unit using the Integrity Reporting Tool on Sharepoint.

5 CUSTODIAL OPERATIONS

- 5.1 CCTV surveillance of activity in correctional centres and secure escort vehicles will occur under section 100 of the Corrections Management Act 2007 (ACT).
 - 5.2 The Commissioner authorises public and secure parts of a correctional centre to be monitored under section 5.1 where necessary and following consideration of the elements in section 99 of the Corrections Management Act 2007 (ACT).
 - 5.3 CCTV surveillance in a correctional centre may be continuously monitored.
- Court Transport Unit (CTU)**
- 5.4 CCTV surveillance occurs in CTU locations at ACT Courts and Tribunal premises but is not monitored or managed by ACTCS.
 - 5.5 Where required, ACTCS will request access to CCTV footage from ACT Courts and Tribunal.
 - 5.6 ACTCS manages the CCTV surveillance in secure escort vehicles to occur only while the vehicle ignition is on.
 - 5.7 The date and time stamp of CCTV in all secure escort vehicles is checked daily and any errors or inconsistencies must be reported to the Senior Director Operations.
 - 5.8 System maintenance of CCTV in secure escort vehicles is limited to disk download management.

6 COMMUNITY CORRECTIONS AND RELEASE PLANNING

- 6.1 CCTV surveillance of Community Corrections and Release Planning facilities will occur to support the safety of staff, offenders and community members.
- 6.2 The Commissioner will authorise locations under section 6.1 to be monitored where necessary and with due regard to the privacy and human rights of staff, offenders and community members.

7 USE AND RECORDS MANAGEMENT

- 7.1 In addition to the purpose for CCTV surveillance under sections 4.1 and 5.1, CCTV footage:
 - a. is admissible as evidence;
 - b. may be provided to ACT Policing or other authorised parties under this policy, the ACT Government Code of Practice for CCTV or Freedom of Information Act 2016 (ACT); and/or
 - c. may be used for investigative purposes.
- 7.2 Where CCTV footage is extracted for use, a minimum of 10 minutes prior to, and after, the relevant incident must be retained.
- 7.3 The relevant Divisional Executive can authorise the use of CCTV surveillance footage for training purposes where appropriate and in consideration of the:
 - a. privacy, human rights and dignity of staff, offenders and community members; and
 - b. consistency with the purpose for which the footage is collected.
- 7.4 The Senior Director Information and Business Solution Unit is responsible for ensuring that protective security measures are implemented to protect against unauthorised access, tampering, or disruption of CCTV systems.
- 7.5 A log will be maintained for all downloaded and retained imagery that includes:
 - a. the logged start and end time of the footage; and
 - b. date and location of the footage.

8 RETENTION TIMEFRAMES

- 8.1 CCTV and video camera footage related to offender management must be retained for a period of seven (7) years for the following matters:
 - a. incidents where further action is taken within 12 months (Incident Reporting, Notifications and Debriefs Policy);

- b. use of force (*Use of Force and Restraints Policy*); or
 - c. as directed by a Head of Function or above.
- 8.2 CCTV of Community Corrections and Release Planning facilities will be retained for up to three (3) months, or in accordance with section 8.1 where necessary.
- 8.3 CCTV of correctional centres will be overwritten once the available storage space has reached capacity.

9 MANAGEMENT OF EXTERNAL REQUESTS

- 9.1 External requests for copies of CCTV footage will be directed to the Access Canberra Contact Centre on 13 22 81, unless the request:
 - a. is a subpoena;
 - b. has been made under the *Freedom of Information Act 2016 (ACT)*; or
 - c. relates to a correctional centre.
- 9.2 All external requests for information from ACT Policing must be sent to the Intelligence Unit via ACTCS-Intelligence@act.gov.au in the first instance and may then be forwarded to the Security and Information Systems team if CCTV is required.
- 9.3 All other external requests under sections 9.1(a)-(c) for CCTV footage must be directed to the Assistant Director Ministerial Support Unit via ACTCSCommissionersOffice@act.gov.au to be managed in accordance with sections 9.4-9.5.
- 9.4 Where a request is received under section 9.3, the Assistant Director Ministerial Support Unit, will coordinate the retrieval and supply of a copy of the footage where authorised by the Commissioner.
- 9.5 The Assistant Director Ministerial Support Unit will liaise with the Justice and Community Safety Directorate Freedom of Information (FOI) Coordinator for all FOI requests.

10 GOVERNANCE

- 10.1 The Commissioner will arrange for an independent annual audit of CCTV systems in accordance with the requirements of the *ACT Government Code of Practice for CCTV*.
- 10.2 The Senior Director Information and Business Solution Unit is responsible for ensuring that the disposal of CCTV cameras and related technologies is

undertaken according to the Justice and Community Safety Directorate CCTV Storage Device and Hardware Disposal Schedule – Standard Operating Procedure.

11 RELATED DOCUMENTS

- Use of Force and Restraints Policy
- Incident Reporting, Notifications and Debriefs Policy
- Justice and Community Safety Directorate Privacy Policy
- ACT Government Code of Practice for CCTV
- Justice and Community Safety Directorate CCTV Storage Device and Hardware Disposal Schedule – Standard Operating Procedure
- Workplace Privacy Policy

Narelle Pamplin
Acting Commissioner
ACT Corrective Services
3 December 2024

Document details

Criteria	Details
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Document owner/approver:	Commissioner, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	Five years after the notification date
Compliance with law:	This policy reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2024</i>
Responsible officer:	Commissioner, ACT Corrective Services

Version Control			
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V3	November-24	Minor update	S Chandrasekhar
V2	January-19	Reissue	L Kazak
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